

October 16, 2012

RECEIVED
FEDERAL ELECTION
COMMISSION

2012 OCT 22 PM 4:11

OFFICE OF GENERAL
COUNSEL

RECEIVED

2012 OCT 22 PM 2:05

FEC MAIL CENTER

To: Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Complainant: Wendolyn Aragon
San Francisco, CA 94121

Respondent: David Lee for Supervisor 2012
4050 Geary Blvd.
San Francisco, CA 94118

MUR # 6673

To Whom It May Concern:

The David Lee for Supervisor Campaign knowingly distributed campaign material (see attached door hanger) to households in San Francisco for the November 6, 2012 General Election on behalf of his candidacy for 2012 Board of Supervisors District 1 Supervisors race. The material claims to be distributed by San Francisco Fire Fighters Local 798 but is clearly shown to be paid for by David Lee for Supervisor 2012 (see bottom of backside of material).

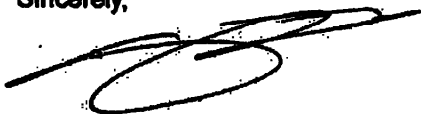
The attached material uses almost identical similarities to the "Forward" slogan and coloring from the Obama-Biden 2012 campaign, which could be interpreted as a deceptive means to make voters believe, at first glance, that this campaign piece is official DNC or Obama-Biden 2012 material. Furthermore, the piece clearly lists Local Candidate David Lee, as the choice of San Francisco Fire Fighters, under Federal Candidates, President Barack Obama and Senator Dianne Feinstein as well as State Assembly Candidate Phil Ting and several local and state propositions. It should be noted that the piece also fails to state any disclaimers that it is not official DNC or Obama-Biden 2012 material, nor does it state any disclaimers that no candidate on the material necessarily endorses another candidate appearing on the material. It also fails to provide a Fair Political Practices Commission (FPPC) number as provided by the California Secretary of State.

I believe this particular piece of campaign material to be in violation of The McCain-Feingold Bipartisan Campaign Reform Act (PUBLIC LAW 107-155—MAR. 27, 2002; 116 STAT. 81 H.R. 2356) which prohibits the mixing expenditures on local and federal offices without applying for the proper federal funding.

At this time, the David Lee for Supervisor Campaign already has two (2) open complaints with the San Francisco Ethics Commission for David Lee's failure to disclose income from the years 2008-2011, as Executive Director of the Chinese American Voter Education Committee and for coordinating an attack ad on his opponent, incumbent Supervisor Eric Mar, with an independent expenditure. The San Francisco Ethics Commission has also twice raised the independent expenditure ceiling for Eric Mar after the David Lee for Supervisor Campaign raised over \$500,000 in independent expenditures supporting David Lee or opposing Eric Mar.

I believe that these existing San Francisco Ethics Commission complaints show a consistent pattern of misappropriating funds, not exclusive to the complaint above. Therefore, I hereby ask that the Federal Elections Commission investigate the David Lee for Supervisor 2012 Campaign for violations to federal campaign laws.

Sincerely,



Wendolyn Aragon

13044343060

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of SAN FRANCISCO

On OCT 18 2012

before me,

JERRY TOPOLOS, NOTARY PUBLIC

Here Insert Name and Title of the Officer

personally appeared

WENDOLYN ARAGON

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature:

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Letter dated 10/16/12

Document Date:

10/16/12

Number of Pages: 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Individual

☐ Partner — ☐ Limited ☐ General

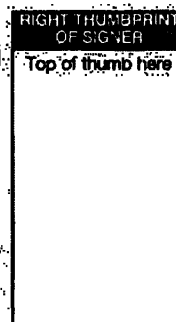
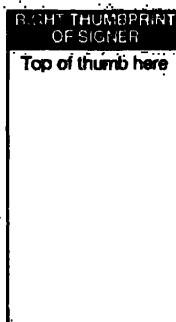
☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:



13044343061

Delivered by a San Francisco Freighter

FORWARD

13044343062

SAN FRANCISCO FIREFIGHTERS URGE YOU TO VOTE FOR:



BARACK OBAMA
for President

"President Obama stands up
for the working class families
of America."

DIANNE FEINSTEIN
for Senate

"Senator Feinstein has fought
for public safety officers
throughout her career and
deserves your vote."



PHIL TING
for Assembly

"Phil Ting is the type of
reformer California needs."

DAVID LEE for the
Board of Supervisors

"David Lee has a firm grasp
of the public safety issues
San Francisco faces."



And vote...



NO on
Proposition F



YES on
Proposition E



YES on
Proposition A



YES on
Proposition B



NO on
Proposition 32